

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Service of Summons and Complaints on Members of the Board of Supervisors in Lawsuits Against Individual Supervisors in their Official Capacity

**Policy
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Purpose

To establish a standard procedure for accepting service on behalf of Supervisors of summons and complaints in lawsuits naming individual members of the Board of Supervisors as defendants in their official capacity.

Background

Occasionally lawsuits are brought which name the individual members of the Board of Supervisors as defendants in their official capacity. The law requires that the summons and complaint, the documents by which lawsuits are commenced, must be served personally on the individual Supervisor or a person authorized by such Supervisor to accept service. The purpose of this policy is to designate a person authorized to accept service on behalf of the individual members of the Board of Supervisors when sued in their official capacity.

Policy/Procedure

It is the policy of the Board of Supervisors that the following procedure shall apply:

1. The individual members of the Board of Supervisors designate and authorize the County Counsel to accept service on behalf of each member of the Board of Supervisors of any summons and complaint, and any additional papers that may be filed in a lawsuit, in any lawsuit where the individual member is sued in his/her official capacity.
2. Persons seeking to personally serve an individual member of the Board of Supervisors where such member is sued in his/her official capacity shall be advised of this policy and directed to the Office of the County Counsel located in Room 355 County Administration Center, 1600 Pacific Highway, San Diego, CA 92101.
3. The County Counsel shall advise each member of the Board of Supervisors of any summons and complaint served pursuant to this policy.

Sunset Date

This policy will be reviewed for continuance by 12-31-16.

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Board Action

4-19-88 (13)

12-12-89 (49)

6-5-90 (43)

9-25-90 (41)

4-4-95 (28)

6-15-04 (25)

12-9-08 (33)

12-08-09 (32)

CAO Reference

1. County Counsel